



November 1, 1982

Mr. Tom Hall  
U.S. Department of Labor, OSHA  
Office of Consumer Affairs  
Room N3633  
Washington, D.C. 20210

Dear Mr. Hall:

These comments are submitted by the American Feed Manufacturers Association (AFMA) in response to requests by OSHA during AFMA's testimony at the Hazard Communication Proposal hearing on June 15, 1982. AFMA is the national trade association representing livestock and poultry feed manufacturers. AFMA members are very diverse in size from the small local feed manufacturer to large corporations with national distribution.

AFMA has been asked to provide documents and/or information on five subjects:

1. Examples of labels on finished feed when it leaves the feed manufacturer;
2. Examples of production records used by in-plant personnel;
3. Examples of Material Safety Data Sheets feed companies receive;
4. Cost estimates for a feed company to obtain Material Safety Data Sheets;
5. Labels on hazardous chemical substances coming into a feed mill.

1. **FINISHED FEED LABELS.** Four examples of finished feed labels are shown on exhibit page 1. Every ingredient in an animal feed must be identified for and approved by the Food and Drug Administration (FDA). These labels are frequently used by employees at the mixing or pelleting operation to trace the flow of ingredients from feed bin to feed bin. The labels or tags are also used by personnel at the bagging and bulk load-out operations when the operators affix them to all outgoing feed.



2. IN-PLANT PRODUCTION RECORDS. Examples of production records used by in-plant personnel are found on pages 2-20. Feed manufacturing records are required to meet FDA's Current Good Manufacturing Practices (CGMP) (21 CFR 225-226, exhibit pages 36-41). These regulations require the creation and maintenance of such records to trace all incoming ingredients from the time of their receipt until they leave the feed establishment in finished feeds. The CGMP requirements include:

- a. Receipt and storage requirements of ingredients [21 CFR 225.42 (b)(1-8)]
- b. Labeling (21 CFR 225.80, 226.80)
- c. Recordkeeping (21 CFR 225.102, 226.102)
- d. Distribution records (21 CFR 225.110, 226.110)

Because AFMA members are currently required to extensively document the production history of finished feed, AFMA believes that it is unnecessary for batch processing to include further documentation by affixing more labels to the containers, i.e. feed bins. Employees are continually exposed to the labels of ingredients as they arrive in feed plants. Feed manufacturing facilities use an enclosed process system that is automatically controlled. Employees, under normal conditions, are not near the process bins. AFMA endorses the elimination of the language in (d)(5) that limits the exclusion transfer to those "of ten gallons (37.8 liters) or less in volume".

MATERIAL SAFETY DATA SHEETS. Exhibit pages 21-29 are examples of Material Safety Data Sheets (MSDS) received by feed mills. MSDS are important sources of information to feed companies. Without them a feed company: (1) would have no idea if a substance was hazardous or not; (Most feed manufacturers have neither the expertise nor resources to evaluate substances or mixtures.) (2) would be unable to evaluate what hazards the substance presents in order to determine any safety precautions necessary for employee safety. Feed manufacturers are at the mercy of their upstream suppliers to provide accurate MSDS's. OSHA needs to express clearly the responsibility of all upstream suppliers to supply downstream users with MSDS's.



In order to determine the type and extent of safety information contained on MSDS's being supplied to its membership, AFMA asked a number of feed ingredient suppliers for examples of the MSDS's they supply to feed manufacturers. While many MSDS's we received were satisfactory, some suppliers (distributors) did not provide MSDS's and merely referred us to their upstream supplier or did not consider their ingredients hazardous (exhibit pages 30-33).

Suppliers, distributors, repackagers and agents must be required, along with chemical manufacturers, to pass MSDS's downstream for substances meeting this standard's definition of hazardous substance to substance to ensure the dissemination of MSDS's. This ensures that: (1) the downstream user knows the substance is hazardous; (2) the downstream user knows the potential hazards of a substance and the precautions to take to avoid a potentially hazardous exposure; and (3) MSDS information will be made available to employees and their designated representatives in accordance with proposed Section (e)(7).

4. COST OF OBTAINING MSDS'S. The cost of obtaining an MSDS by a feed company is usually the cost of sending a letter. A recognized "rule of thumb" for sending a letter is \$5.00. Problems arise when, as previously described, suppliers are unable to provide MSDS's. Since most feed companies have relatively few employees (7.4 production workers per facility, USDA, STRUCTURE OF THE FEED MANUFACTURING INDUSTRY, 1975, STATISTICAL BULLETIN 596), most do not employ chemical engineers or industrial hygienists to monitor incoming shipments of potentially hazardous ingredients. Were feed manufacturers not assured that all potentially hazardous ingredients received would arrive with an MSDS, then feed manufacturers would have to hire someone qualified to determine if a substance is hazardous and if so, how. The salary plus benefits of such an employee would probably be in the area of \$25,000 per year. There were 9,777 feed mills registered with FDA in 1978 to mix medicated feed. Multiplying these two figures results in the annual cost of \$249,425,000 to the feed industry per year if feed manufacturers are not assured that all incoming hazardous substances would arrive with their MSDS's.



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5. Exhibit pages 34 and 35 contain a representative warning statement found on hazardous substances delivered to feed mills. These warnings are found on each bag entering the mill, providing any employee handling the substance with an adequate warning and information about the substance.

Sincerely,

David A. Bossman  
Treasurer, Director of Production

DAB/sb

Enclosure